

**IN THE UNITED STATES BANKRUPTCY COURT  
EASTERN AND WESTERN DISTRICTS OF ARKANSAS**

<b>In Re:</b>	<b>Jeff Howard McClendon</b>	<b>Case No.</b>	<b>13-72878</b>
<b>f/d/b/a</b>	<b>Advanced Quote, LLC</b>	<b>Chapter 13</b>	

*electronically filed 06/05/2014*

**DEBTOR(S)**

**NOTICE OF OPPORTUNITY TO RESPOND TO  
MOTION TO COMPEL**

You are hereby notified that the Arkansas Department of Finance & Administration has filed the attached Motion To Compel. **WRITTEN** Responses to the Motion must be filed **ELECTRONICALLY** within twenty-eight (28) days from the date of this Notice with:

**(1) U. S. Bankruptcy Court Clerk:**

- ☐ **Eastern District cases:**  
300 West 2<sup>nd</sup> Street, Little Rock, AR 72201;
- ☒ **Western District Cases:**  
35 East Mountain, Room 316, Fayetteville, AR 72701.

**(2) Standing Chapter 13 Trustee:**

- ☐ Joyce B. Babin, POB 8064, Little Rock, AR 72203;
- ☐ Mark T. McCarty, POB 5006, N. Little Rock, AR 72119;
- ☒ Jack W. Gooding, POB 8202, Little Rock, AR 72221.

**(3) The Arkansas DF&A Attorney at the address below:**

Hearings on any responses to the Motion will be set by subsequent Notice from the Court. **IF NO RESPONSES ARE FILED WITH THE CLERK, THE COURT MAY GRANT THE MOTION WITH NO FURTHER NOTICE OR HEARING TO THE DEBTOR(S).**

Date: June 05, 2014

ARKANSAS DEPARTMENT OF FINANCE  
& ADMINISTRATION  
P. O. Box 1272  
Little Rock, AR 72203  
Tel/Fax: (501) 682-7030/7599  
By: /s/ David B. Kaufman  
David B. Kaufman, ABN 76061  
Attorney for ADF&A

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**USBC No. 13-72878**  
**Notice to Respond**  
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**Certificate of Service**

On the date of this Notice, copies of Notice and Motion to Compel were mailed electronically to the following: (1) Jack W. Gooding, Chapter 13 Trustee, P. O. Box 8202, Little Rock, AR 72203, and to (2) James C. Hunt, attorney for Debtor(s).

**/s/ David B. Kaufman**

David B. Kaufman, ABN 76061  
Attorney for ADF&A

**IN THE UNITED STATES BANKRUPTCY COURT**  
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*electronically filed 06/05/2014*

**DEBTOR(S)**

**MOTION TO COMPEL**

Comes now the Arkansas Department of Finance & Administration (ADF&A) and for its Motion states:

1. This Court has jurisdiction and venue over this matter.
2. The ADF&A is a real party in interest. Upon information and belief, Debtor(s) is delinquent in the following State of Arkansas tax filing requirements: **2013 Income Tax. Register business, file all delinquent business tax returns, & modify accordingly.**
3. The liability represented by the delinquent returns is a pre-petition priority tax obligation under 11 U. S. C. §507(a)(8), or is non-dischargeable under 11 U. S. C. §1328(a)(2).
4. An Order should be entered compelling the Debtor(s), within the latter of 30 days from its entry or when the return is last due, including extensions under state law, to file all delinquent returns due the State of Arkansas, and modify the Plan accordingly.
5. Further, the Debtor(s) should also be required to become and remain timely in the reporting and full payment of all post-petition taxes due the ADF&A from the Debtors in any capacity.
6. All tax returns and payments due under any Order settling this Motion should be sent to the appropriate tax section within the ADF&A
7. The failure to comply strictly and faithfully with any provision of an Order entered

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**USBC No. 13-72878**  
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granting this Motion should be made an event of default. Upon default the ADF&A should be entitled to ex parte dismissal relief, which it may seek upon proper motion, and which the Court may grant with no further hearing of notice to the Debtor(s). Prior to seeking such relief the ADF&A will afford the Debtor(s) a written opportunity to cure.

WHEREFORE, for the reasons stated above, the ADF&A moves the Court to grant it the relief sought, as well as all other just and proper relief to which it may be entitled.

Respectfully submitted,  
ARKANSAS DEPARTMENT OF FINANCE  
& ADMINISTRATION  
P. O. Box 1272  
Little Rock, AR 72203  
Tel/Fax: (501) 682-7030/7599  
By: /s/ David B. Kaufman  
David B. Kaufman, ABN 76061  
Attorney for ADF&A

**Certificate of Service**

On this 5<sup>th</sup> day of June, 2014, copies of this Motion were sent electronically to the following: (1) Jack W. Gooding, Trustee, and to (2) James C. Hunt, debtor's attorney.

/s/ David B. Kaufman  
David B. Kaufman